

Serial No. 10/716,620
Docket No. No. 62
ORI.081

REMARKS

Claims 1, 4, 5, 7, 8, and 11-24 are all the claims presently pending in the application. Claims 7, 12, 14, 17, 19, 20 and 22-24 have been withdrawn from consideration. Claims 1, 4, 7, 8 and 22 have been amended to more particularly define the claimed invention. Claim 6 has been canceled without prejudice or disclaimer.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1, 4-6, 8, 11, 13, 15, 16, 18 and 21 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. 1, 4-6, 8, 11, 13, 15, 16, 18 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Felgentreu (U.S. Patent No. 5,172,995).

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention (e.g., as defined by exemplary claim 1) is directed to a liquid container.

The liquid container includes a body having a main tank in which liquid is stored, a supply outlet positioned at the tip of the body for supplying the liquid, a guiding portion connecting the main tank and the supply outlet to guide the liquid from the main tank to the supply outlet, a liquid reservoir having an air flow port communicating with the outside, a liquid flow port communicating with one of the main tank and the guiding portion, and a reservoir tank for accumulating the liquid overflowing from the main tank. The reservoir tank stores the liquid on a side farther away from the supply outlet than the liquid flow port. The reservoir tank of the liquid reservoir is arranged outside in a radial direction of the main tank. Additionally, the reservoir tank is configured of a single passage extending from the liquid flow port to the air flow port (e.g., see Application at page 5, lines 3-5).

Serial No. 10/716,620
Docket No. No. 62
ORI.081

The claimed invention, including the above combination of features, provides a liquid container that can temporarily store liquid having overflowed as a result of a variation in air pressure and thereby prevent liquid leaks. Additionally, the claimed invention allows the use of the entire quantity of liquid that has been temporarily stored (e.g., see Application at page 2, lines 16-23).

II. THE INDEFINITENESS REJECTION

The Examiner alleges that the claimed invention of claims 1, 4-6, 8, 11, 13, 15, 16, 18 and 21 is indefinite. Specifically, the Examiner alleges that claim 1 does not provide adequate antecedent basis for each claim limitation recited in the claim.

Applicants respectfully submit that claim 1 has been amended to provide adequate antecedent basis for each limitation recited in the claim.

Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. THE PRIOR ART REFERENCES

The Examiner alleges that Felgentreu teaches the claimed invention of claims 1, 4-6, 8, 11, 13, 15, 16, 18 and 21. Applicants respectfully submit, however, Felgentreu does not teach or suggest each and every feature of the claimed invention.

That is, Felgentreu does not teach or suggest that *"said reservoir tank comprises a single passage extending from the liquid flow port to the air flow port"*, as recited in exemplary claim 1.

The Examiner attempts to rely on the figures of Felgentreu to support his allegations. The Examiner, however, is clearly incorrect.

Indeed, nowhere in these figures (nor anywhere else for that matter) does Felgentreu teach or suggest that the reservoir tank is configured of a single passage extending from the liquid flow port to the air flow port.

The Examiner analogizes the inner bore (8) of Felgentreu to the main tank of the claimed invention. Additionally, the Examiner analogizes the writing fluid reservoir (4) of Felgentreu to the reservoir tank of the claimed invention. The Examiner's analogies, however, are incorrect.

Serial No. 10/716,620

Docket No. No. 62

ORI.081

That is, the writing fluid reservoir (4) of Felgentreu is a main tank, and the pressure equalization chamber (11), which accumulates the liquid overflowing from the main tank, may be considered equivalent to the reservoir tank of the claimed invention (e.g., see Felgentreu at column 4, lines 32-35). The structure of the pressure equalization chamber (11) of Felgentreu is not clear from the disclosure. However, referring to Figures 1 and 2 of Felgentreu, the equalization chamber (11) appears to be configured of a plurality of annular grooves and is not configured of a single passage from the liquid flow port to the air flow port, as recited in the claimed invention.

Therefore, Applicants submit that Felgentreu does not teach or suggest each and every feature of the claimed invention. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicants submit that claims 1, 4, 5, 7, 8, and 11-24, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

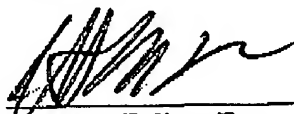
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Serial No. 10/716,620
Docket No. No. 62
ORI.081

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: June 19, 2006



Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

FACSIMILE TRANSMISSION

I hereby certify that I am filing this paper via facsimile, to Group Art Unit 3751, at (571) 273-8300, on June 19, 2006.

Respectfully Submitted,

Date: June 19, 2006



Scott M. Tulino, Esq.
Reg. No. 48,317

Sean M. McGinn, Esq.
Reg. No. 34,386